



## UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION III

841 Chestnut Building  
Philadelphia, Pennsylvania 19107

MAY 18 1987

102479

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

In Reply Refer to: 3HW12

Mr. John A. Parmer, President  
Berkley Products Co.  
P.O. Box E  
Akron, PA 17501

Re: Berkley Products Dump

Dear Mr. Parmer:

The Environmental Protection Agency (EPA) is seeking information concerning a release, or the threat of a release, of hazardous substances into the environment. Pursuant to the authority of Section 3007(a) of the Resource Conservation and Recovery Act ("RCRA"), 42 U.S.C. § 6927(a), and Section 104(e) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 ("CERCLA"), 42 U.S.C. § 9604(e), you are requested to furnish all information and documents in your possession, custody or control, or in the possession, custody or control of any of your officers, employees or agents which concern, refer, or relate to hazardous substances as defined by Section 101(14) of CERCLA, 42 U.S.C. § 6901(14), particularly those substances which were transported to, or stored, or disposed of at the Berkley Products Dump, also known as the Schoeneck Landfill (as depicted on the enclosed "Location Map"). This property was operated as a municipal waste dump since the 1930's, and was purchased in 1965 by the Lipton Paint and Varnish Company, Inc., a subsidiary of Berkley Products Company, for the purpose of paint solvent and waste disposal.

All information and documents requested are due to the address listed below within ten (10) calendar days of receipt of this letter.

The response should include, but not be limited to, information and documentation concerning:

1. The types and quantities of the hazardous substances sent to the Berkley Products Dump, or Schoeneck Landfill.
2. The date(s) such substances were sent to Berkley Products Dump.
3. The manner by which those wastes reached that location.
4. The state (i.e., liquid, solid, or gaseous) of the substances sent to the Berkley Products Site, and the manner in which the substances were stored or disposed (i.e., drummed or uncontained, placed in lagoons, landfilled, placed in piles, etc.);

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5. Any correspondence between your company and any regulatory agencies regarding such substances;
6. Any correspondence between Berkley Products Company and any third party regarding such substances;
7. The identify of, and documents relating to, any other person who generated, treated, stored, transported, or disposed, or who arranged for the treatment, storage, disposal, or transportation of such substances to Berkley Products Dump.
8. Copies of any deeds, rights-of-way, leases, or other real interests which your company has in the Berkley Products Dump.

Please describe any documents that were maintained by your company of the transactions with the Berkley Products Dump including the date of the documents, the author of the documents, the current location of the documents and the current custodian, and all efforts that were taken to identify these documents.

As used herein, the term "documents" means writings (handwritten, typed or otherwise produced or reproduced) and includes, but is not limited to, any invoices, checks, receipts, bills of lading, weight receipts, toll receipts, correspondence, offers, contracts, agreements, deeds, leases, manifests, licenses, permits, bids, proposals, logs, books of original entry, minutes of meetings, memoranda, notes, calendar or diary entries, agendas, bulletins, notices, announcements, charts, maps, photographs, drawings, manuals, brochures, reports of scientific study or investigation, schedules, price lists, telegrams, teletypes, phono-records, magnetic voice or video records, tapes, summaries, magnetic tapes, punch cards, recordings, discs, computer printouts, or other data compilations from which information can be obtained or translated.

You are entitled to assert a claim of business confidentiality covering part of the submitted information, in the manner described in 40 C.F.R. Section 2.203(b). Information subject to a claim of business confidentiality will be made available to the public only in accordance with the procedures set forth in 40 C.F.R. Part 2, Subpart B. Unless a business confidentiality claim is asserted at the time the requested information is submitted, EPA may make this information available to the public without further notice to you.

Please send the required information to:

Donna M. McCartney, Compliance Officer  
U.S. Environmental Protection Agency, Region III  
PA CERCLA Remedial Enforcement Section (3HW12)  
841 Chestnut Building, 6th Floor  
Philadelphia, PA 19107

This information request is not subject to Office of Management and Budget Review under the Paperwork Reduction Act, 44 U.S.C. §§ 3501-3520.

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If you have any questions concerning this matter, please contact Donna McCartney at (215) 597-8216.

Sincerely,



Bruce P. Smith, Chief  
Hazardous Waste Enforcement Branch

Enclosure: Location Map

cc: Donald A. Lazarchik, P.E., Director  
Bureau of Solid Waste Management  
PA Department of Environmental Resources

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